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Name: Thomas H. Martin, Esq.

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Phone No.: 330-877-2277

Fax No.: 703-872-9306

No. of Pages (including this): 4

Subject: U.S. Patent Application No. 09/593,591
Gary K. Michelson, M.D.
Filed: June 13, 2000

Date: August 9, 2004

MANUFACTURED MAJOR LONG BONE RING
IMPLANT SHAPED TO CONFORM TO A
PREPARED INTERVERTEBRAL
IMPLANTATION SPACEConfirmation Copy to Follow:
YES—Confirmation Copy of
Information Disclosure Statement and
Form PTO-1449 with copies of 2
references

Attorney Docket No. 101.0078-00000

Customer No. 22882

Confirmation No.: 5619

Message:

CERTIFICATE OF TRANSMISSION UNDER 37 CFR 1.8

I hereby certify that the attached Information Disclosure Statement Under 37 C.F.R. § 1.97(b) and Form PTO-1449 are being facsimile transmitted to the U.S. Patent and Trademark Office on August 9, 2004.


Sandra L. Blackmon

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PATENT
Attorney Docket No. 101.0078-00000
Customer No. 22882

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In re Application of:)	Confirmation No : 5619
Gary K. Michelson, M.D.)	
Serial No.: 09/593,591)	Group Art Unit: 3738
Filed: June 13, 2000)	Examiner: Paul Prebilic
For: MANUFACTURED MAJOR LONG)	
BONE RING IMPLANT SHAPED TO)	
CONFORM TO A PREPARED)	
INTERVERTEBRAL IMPLANTATION)	
SPACE)	

Mail Stop AMENDMENT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(b)

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), applicant brings to the attention of the Examiner the documents listed on the attached PTO 1449. This Information Disclosure Statement is being filed within three months of the filing date of a Request for Continued Examination (RCE) for the above-referenced application.

Copies of the listed documents are attached. Applicant respectfully requests that the Examiner consider the listed documents and indicate that they were considered by making appropriate notations on the attached form.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." If the Examiner applies any of the documents as prior art against any claim in the application and applicant determines that the cited documents do not constitute "prior art" under United States law, applicant reserves the right to present to the office the relevant facts and law regarding the appropriate status of such documents.


Applicant further reserves the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

If there is any fee due in connection with the filing of this Statement, please charge the fee to our Deposit Account No. 50-1066.

Respectfully submitted,

MARTIN & FERRARO, LLP

Date: August 9, 2004

By: 
Thomas H. Martin
Registration No. 34,383

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OMB 0651-0031

Substitute for FORM PTO-1449			Attorney Docket Number 101.0078-00000		Customer Number 22882	
INFORMATION DISCLOSURE CITATION IN AN APPLICATION			Applicant Gary K. Michelson, M.D.		Application Number 09/593,591	
(Use several sheets if necessary) Sheet <u>1</u> of <u>1</u>			Filing Date June 13, 2000		Group Art Unit 3738	Examiner Paul Prebilic
U.S. PATENT DOCUMENTS						
EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	2003/0130737A1	7/2003	McGahan et al.			
	6,810,065	8/2003	Branch et al.			
FOREIGN PATENT DOCUMENTS						
	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION (YES/NO)
OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)						
EXAMINER		DATE CONSIDERED				
EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP § 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to the applicant.						